

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
BEAUMONT DIVISION

ERIC HOUSTON

§

VS.

§ CIVIL ACTION NO. 1:05cv37

MR. RIOS, ET AL.

§

MEMORANDUM ORDER ADOPTING THE MAGISTRATE  
JUDGE's REPORT AND RECOMMENDATION

Plaintiff Eric Houston, an inmate at the Federal Correctional Complex in Beaumont, Texas, proceeding *pro se*, brought this *Bivens*-type action<sup>1</sup> against Mr. Rios, Lt. Vanness, and Mrs. Right.

The court referred this matter to the Honorable Keith F. Giblin, United States Magistrate Judge, at Beaumont, Texas, for consideration pursuant to applicable laws and orders of this court. The magistrate judge recommends this action be dismissed for failure to exhaust administrative remedies.

The court has received and considered the Report and Recommendation of United States Magistrate Judge filed pursuant to such referral, along with the record, pleadings and all available evidence. No objections to the Report and Recommendation of United States Magistrate Judge were filed by the parties.

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*See Bivens v. Six Unknown Agents of the Federal Bureau of Narcotics*, 403 U.S. 388 (1971).

O R D E R

Accordingly, the findings of fact and conclusions of law of the magistrate judge are correct and the report of the magistrate judge is **ADOPTED**. A final judgment will be entered in this case in accordance with the magistrate judge's recommendations.

SIGNED at Beaumont, Texas, this 14th day of November, 2005.

A handwritten signature in black ink, reading "Marcia A. Crone". The signature is written in a cursive style with a horizontal line underneath it.

MARCIA A. CRONE  
UNITED STATES DISTRICT JUDGE